

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON



Timothy A. Johnson,  
Plaintiff,

v.

CIVIL ACTION NO. 2:21-cv-00380  
Judge Johnston, Magistrate Judge Tinsley

West Virginia Board of Governors,  
West Virginia University Medical Corporation  
Ghassan Richard Ghorayeb, M.D.  
Lingo Lai, M.D.

**Plaintiff's Motion for Citation of Contempt of Court by Defendants**

Plaintiff Timothy A. Johnson, proceeding *pro se*, respectfully moves this Honorable Court for an Order requiring Defendants and their counsel to show cause why they should not be held in contempt of court for their willful and blatant violation of this Court's Order sealing highly sensitive, private medical information of third parties.

The Magistrate Judge issued an *Order* (ECF-215, filed September 26, 2023) directing the Clerk to seal ECF-214-1 through ECF-214-6 from public view. This Order explicitly protected sensitive medical information of third-parties from public access.

Defendants have republished this sealed information, in their *Motion for Pre-Filing Injunction Writ*. (ECF-322) and *Joinder* (ECF-322), particularly the explicit mention of these third-party, family members' diagnoses and treatments, which is a direct and contemptuous violation of Magistrate Judge Tinsley's *Order* (ECF-215) to seal these records.

**IV. REQUEST FOR RELIEF**

WHEREFORE, Plaintiff Timothy A. Johnson respectfully requests that this Honorable Court:

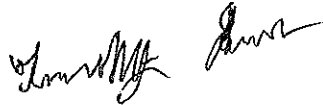
1. Issue an Order requiring Defendants, including Timothy R. Linkous, Esq., Jenny L. Hayhurst,

Esq., David E. Schumacher, Esq., Carol Ann Marunich, Esq., Sunita Kellermeyer, Esq., Ghassan Richard Ghorayeb, M.D., and Lingo Y. Lai, M.D., to show cause why they should not be held in contempt of court for violating the Court's Order (ECF-215).

2. Immediately strike ECF-320-2 (Plaintiff's Draft Civil RICO Complaint) from the public docket and replace it with a properly redacted version that removes all sealed third-party medical information.

3. Impose severe sanctions on Defendants and their counsel, including but not limited to, monetary fines, adverse inference instructions, or other appropriate relief, sufficient to deter future violations and punish this egregious conduct.

4. Grant such other and further relief as the Court deems just and proper.



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**Certificate of Service**

I hereby certify that, on this 1st day of August, 2025, I delivered the following to documents to the Defendants:

- **Plaintiff's Response in Opposition to Defendants' Motion for Pre-filing Injunction**
- **Plaintiff's Motion for Citation of Contempt of Court by Defendants**
- **Plaintiff's Memorandum of Law in Support of Plaintiff's Motion for Citation of Contempt of Court by Defendants**

and upon the parties via the PACER electronic filing system.

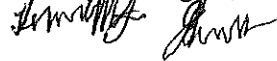
Timothy Linkous, Esq.  
Linkous Law

Counsel for Defendants WVUBOG, Ghorayeb and Lai

David E. Schumacher, Esq.  
Bailey & Wyant Law Office

Counsel for West Virginia Medical Corporation d/b/a  
University Health Associates – West Virginia Eye Institute  
d/b/a West Virginia University Eye Institute

This 1<sup>st</sup> day of August, 2025.



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